[H1] Nation-Building and Minority Rights in the Middle East:
A Dialectic Dynamic

Numerous and converging indications suggest that the religious minorities of the Middle East are living at a critical juncture in this early 21st century.[1] Every other day, news bring the subject to the front pages, mentioning tensions raised in Algeria by the conversion of a few dozen citizens to Christian evangelism, persecutions suffered by non-Muslims in Northern Iraq, sectarian strife in the rest of the country or in Lebanon. **And although full of promises, the revolutionary wind blowing from the Persian Gulf to the Atlantic in the early 2010s raises new interrogations.** What is often referred to as a global minority crisis "in the Arab world" or "in the Muslim world" is a complex phenomenon which combines structural and cultural dimensions, and needs to be examined in light of its historical background and sociological context. On the one hand, it is a structural crisis where demography and law are determining factors. A long-term difference in birth rates and emigration traditions between religious and confessional groups resulted in deep demographic imbalance while several decades of discriminating legislation deepened the gap.[2] On the other hand, the current "minority crisis" is a crisis of *difference*: a crisis where "relation between individuals is characterised by uncertainty" because the old social and cultural order is falling apart.[3] Together, structural and cultural factors combine. In view of the hundreds of thousands of people who took refuge in another country of the Middle East or emigrated in the West during the recent decades, we cannot but acknowledge that several religious and confessional[4] minorities do not enjoy freedom in their homeland where they may be symbolically excluded from the public sphere and political life and more than often oppressed and even condemned to exile. To use *Hirschmanian* categories, their response to their precarious situation is either *exit* or silence.[5]

[1] Schatzmiller 2005: 14. I am far from sharing the analyses presented in her introduction.
[2] Courbage and Fargues 1997; Jones 2006: 252.
[3] Balandier 1986: 501.
[4] In the following I use the term "confessional" to mean *religious and* confessional as a confessional group is de facto part of a larger religious one. However in this chapter the variable of interest is less the doctrine or faith of the group than its collective social identity. For that reason, I use the terms "community" to refer to the group as a social organization and "communalism" as a sociological concept and a social formation in history. In order to refer to the collective political identity and mobilization of the group, I use the terms "sect" and "sectarianism". Cf. Joseph and Pillsbury 1978.
[5] Hirschman 1970.

The more so because in several circumstances this existential crisis lead to multidimensional violence: the structural violence of unequal constitutional laws enacted for specific identity groups; the spatial displacement or forced exile of local communities; assaults against individuals; street fighting along lines separating religious or sectarian communities; or even unnamed civil war. Truly, social sciences cannot underestimate the seriousness of the crisis. Mainly, history and sociology are needed to look into the genealogy of the crisis and take its context into account in order to overcome the blunt characterisation of violence against religious minorities as a cultural stigma specifically associated with the societies and polities of the Middle East. Political sociology, for its part, is required to shed light on the complex relation between the political power which claims sovereignty and the exclusive use of "legitimate violence" (or legal use of force) - "the state" - on the one hand, and victimized and powerless sectarian communities, on the other hand.

In order to do so, this chapter is organised under three main themes.

First, it offers a retrospective look at the process of importation and adaptation of the nation-state formula in the newly created and/or newly independent entities of the Middle East. The main hypothesis is that diverging constitutional choices – either the choice of government of the demographic majority (*Tocquevillian* democracy) or the choice of "consensus democracy" - namely the government of a coalition of identity groups acknowledging specific constitutional rights for the minorities[6] – shaped state-society relation differently in each country of the region where they yielded both positive and negative effects which need to be assessed.

Second, this chapter reflects on today's revival of the minority issue and endeavours to analyze its specificity. My contention is that the minority crisis of today is radically different from the crisis which stirred social and political mobilisations in the 19th century although it is also the product of a combination of a specific international conjuncture – "glocalization"[7] - and its internalisation by local societies in the Middle East. Namely, I assume that the authoritarian regimes established in the region since the mid-1950s tend to compensate for the failure of their pro-active national development policies and flamboyant regional ambitions by "redeploying the state": leaving the management of national economies to private actors and investing rather in security and in the cultural and religious sectors they had until then

[6] For a comparative analysis of the two constitutional systems, cf. Lijphart 1999.
[7] Roudomatof 2005.

neglected.[8] Correlatively, the minority issue becomes the great "question of the century"[9] fed by exacerbated identity fundamentalisms and established at the global level as a legitimate problem through the birth of a new international humanitarian Law. This is why the term "minority" should be discussed beyond its indistinct reference to groups whose self-designation, legal status and political function vary widely.[10]

In the third part, I look at Middle East identity mobilisations in the defence and promotion of minority groups and show how they mirror the nationalist ideologies of the ruling regimes, often using the same resources and the same strategies, thus questioning the supposed contrast between the powerful state and the powerless minority. My hypothesis is that the ruling power and the minority compete in the construction of we-groups. They concur in the strengthening of identity boundaries in order to access to rare material and symbolic resources. In this respect, religious diasporas play a specific role in politicising identities at home, exposing them and supporting them. However, the surprising resilience of the nation-state suggests that what is taking place between state leadership and minority groups in many countries of the Middle East is a political exchange of specific nature and means, which challenges the notion of citizenship.

Examination of these three dimensions of the minority issue in the Middle East needs to be carried out in comparative perspective in order to open up the understanding of a region often stigmatised as "exceptional" and un-amenable to global change. At the same time, a sound comprehension of the current situation requires taking into account the specific path dependence of the local states. Therefore, I adopt a historical sociology perspective and try to read the current crisis in light of the crisis that struck religious minorities in the late Ottoman era after the adoption of a revolutionary code of citizenship and the growing interference of European powers in the affairs of the non-Muslim minorities of the Empire.[11] To this day, the heritage of the *millet* system,[12] the recognition of freedom of religion and culture (and sometimes language) and the allocation of a specific personal status to non-Muslim

[8] Levy 2006.
[9] The quote is from Debray 2008: 227: "La question des minorités est la grande question du siècle. Plus la planète se resserre, plus les distances se creusent."
[10] For lack of respect of such a requirement, analysis might be plagued by ideological prejudice. See Bengio and Ben-Dor 1999.
[11] Karpat 1982.
[12] "The *millet* system of the Ottoman Empire enabled Christian, Jewish and Muslim communities to co-exist more or less peacefully, each with their own form of self-government. While the *millet* system was generally human and tolerant of group differences, it was not a liberal society, for it did not tolerate individual dissent within its constituent communities. Rather it was a deeply conservative, theocratic and patriarchal society". Kymlicka 1992: 143.

confessional communities are the major stakes of the legal and judicial institutions in most regional states. At the time of independence a large majority of them kept the confessional variable into account when enacting and applying personal and family law. Some of them even inscribed the legal pluralism inherited from the Ottomans into their constitutional rule. Today, the *millet* system – or at least its remaining – imposes a specific meaning (in the Geertzian sense)[13] to the organisation of the local societies. It provides clues for understanding the power brokering at work between the minorities and the state. But at the same time, "it distils complex social categories into bounded categories whose correspondence to reality is problematic."[14] By consequence, it is a controversial concept as some analysts consider it a source of inspiration for liberalising the status of minority groups while others denounce its fragmenting role and the subsequent paralysis of the nation-building process in the Middle East.

[H2] Minorities and nation-states

Middle Eastern states – either succeeding an empire like Turkey and Iran or resulting from decolonisation like most Arab states and Israel - were inspired by, and modelled along, the 20th century European model of the nation-state. This genealogy is more or less explicit in the institutions of the independent state as it is often denied by its political elite. Still, it is easily discernable beyond such diverse political regimes as family emirates in the Arab Peninsula, hereditary republics like Syria, regimes which refer primarily to Islamic rule such as Iran or Sudan, or marginal cases such as Somalia whose statist identity appears dubious. In spite of the strong influence of the secularist model,[15] an overwhelming majority of the local states took into account the confessional variable when enacting personal and family law and organising the cultural dimension of their public life; even the most secular among them such as the Turkish Republic and the Tunisia of Bourguiba could not ignore the impact of religious identities on the basic social dynamics in their country.[16]

[13] Geertz 1973: 12-3.
[14] Peteet 2008: 550.
[15] As the separation of state from religion became a major characteristic of contemporary Britain and France, the major colonial powers in the Middle East.
[16] In these "secular" states, religious institutions are not autonomous from the state and Islam remains a constant reference, implicit or explicit, for the regime. Webb 2008.

When it came to enacting a constitution and adopting a modern mode of political representation, these states chose between one of the two options offered in Western Europe at that time: the majority rule and the consensus rule.

[H3] Majority rule and the denial of cultural differences

In the so-called Tocquevillian model, the party and leader who secure the numerical plurality of votes in more or less fair, more or less open, electoral processes enjoy the legitimate right to govern and impose the state and society their identity and cultural preferences.[17] When the political system presents a certain degree of democracy, it is open to a certain degree of uncertainty and the majority of today might eventually become the minority of tomorrow.[18] Also, majority democracy is open to arrangements with minority groups and required to organise the legal protection of their collective rights.[19]

In most modern Middle East countries majority rule bore another meaning and rested on another rationale: in order to strengthen their new and often fragile power, the rulers hold a discourse of unanimity, either in support of a charismatic or traditional leader, or based on a nationalist ideology. Authoritarian regimes were prone to deny cultural (either religious or ethnic) pluralism, suppress minority claims and even eradicate minority movements in the name of a shared national identity. This was the case when the young Turkish Republic expelled non-Muslim populations from Anatolia in the 1920s and when Arab regimes such as the Iraqi and Yemeni monarchies tolerated anti-Jewish pogroms and fostered massive emigration of their Jewish communities organised by Israel in the 1950s. In 1951, Colonel Shishakli, Syria's strong man, banished all references to confessional belongings in official data such as the national census and in the political sphere. Invoking modernity, he suppressed the parliament seats traditionally reserved for religious minorities. The rhetoric of this eradication was that applying the principle of secularism shielded non-Muslims from being stigmatised because of their religious identity and that the common Arab identity of the Syrian people subsumed any sub-national cultural difference.[20] Since that period, the Syrian parliamentary representation is based on formal equality between citizens (one man one vote) and the only difference admitted is between "workers" (wage-owners) and other citizens in order to enhance the representation of the former. This system is supposed the best suited to

[17] "Il est de l'essence même des gouvernements démocratiques que l'empire de la majorité y soit absolu; car en dehors de la majorité, dans les démocraties, il n'y a rien qui résiste"; Tocqueville 1951: 374.
[18] Przeworski 1988.
[19] Lijphart 1991.
[20] In Syria like in Iraq and Turkey, such a stance was first and foremost anti-Kurdish.

guarantee individual rights and collective democracy. The state leadership, supposedly issued from the national majority, claims to be accountable for its public policies only to "exquisite citizens" freed from their confessional (or ethnic) prison.[21]

In the last decades, an alternative discourse of unanimity tended to substitute for secular nationalisms; namely the reference to the Muslim identity of an overwhelming majority of the local populations. In the Middle East, a good number of governments amended the national constitution and promulgated new laws to stress the Islamic nature of their regime. Beyond their deep differences in nature and processes, the Islamic Republic of Iran, the Wahhabite Saudi monarchy and the Sudanese dictatorship epitomized this trend. Their central reference to Islam allowed each of them to rule arbitrarily in the name of equity, social justice and common good, and by the same token to claim to protect non-Muslim minorities maintained under their domination by means of social contracts ("pacts"). Majority rule, in these cases, amounted to the impossibility of integration in the national community of individuals belonging to minority groups and their forced submission to the dominant rule.

Since the mid-1950s authoritarian implementation of the so-called majority rule and reference to an exclusive or dominant common identity amounted to impose a "forced consensus" to religious out-groups.[22] What was really taking place was that a family or clannish coalition managed to seize power by violent and/or illicit means and monopolize political and economic positions in several kingdoms and republics of the Middle East. What could be observed was that instead of governing for the sake of the nation, these rulers co-opted and excluded segments of the society on a regional, ethnic or confessional basis, sometimes imposing a ruling majority at odd with its demographic and social weight.[23] Among many documented situations stand out the cases of Syria, governed by members of the Alawite sect (11 percent of the nation population) since 1970; of Iraq, tyrannised by Saddam and his Sunni Ba'thist networks[24] from 1969 to 2003; and the case of Bahrain where a Sunni monarchy ruled over a 65 percent Shiite majority.

Although more recent, experiments of the so-called "Islamic rule" proved even more detrimental to minorities because of the discrepancy between legally imposed inequalities and official claims for theocratic universalism. In the eye of a ruler referring to a privileged link between God and the society, minority groups - even those granted a legal status and some

[21] Ernst Gellner quoted in Leca and Schemeil 1983 : p. 479.
[22] Copeaux 2000.
[23] In several cases they condemned the demographic majority (Arab Sunnis in Syria, Arab Shia in Iraq) to political minorisation and forbade the birth of program-based alternative majority. Cf. Salamé 1991.
[24] By network I simply mean stable schemes of horizontal interaction.

kind of state protection such as *ahl al-kitâb*[25] - remained social anomalies meant to be either assimilated by the *umma* or expelled. Consequently, Bahais were persecuted in Islamic Iran, the Sudanese regime fought continuous wars against its animist and Christian populations, and the Saudis treated their Shia as a second class population at best.

Under such rulers, societal response to the alternative integration/exclusion (either you belong to *the* nation or you are condemned to symbolic or exile) revolved around the three famous Hirschmanian strategic categories: either tacit submission ("loyalty") because the dominant discourse could only be challenged in privacy; or exposure and political mobilisation ("voice") against the rule of unanimity; or concealment and exile ("exit") because the cost of the previous strategy was not sustainable.[26] Until 1990, when the conflict between the capitalist and socialist worlds over-determined and kept "in the fridge" ethnic and religious identities, most religious minorities of the Middle East chose the first response. Also, many minority members expected to be part of the promised national development, either as its beneficiaries like any citizen or as actors because they enjoyed a high level of education and proficiency. Truly a noticeable number of minority members benefited from upward mobility in the "nationalist" decades. For example, the history of Egypt in the 1940s and 1950s echoed the names of Coptic leaders and intellectuals deeply involved in their nation's development. All over the Middle East, Christians and Jews were numerous in Communist and leftists parties, convinced as they were to share with their Muslim fellow citizens a common secular faith in development. Correlatively local leaders and ignorant or accomplice Western commentators were prone to praise the aggressive nation-building engineered by the state and predict its progressive substitution for obsolete primordial identities that used to compete with one another and fragment the nation, such as family links, clannish belongings, attachment to a confessional community or an ethnic minority. Still, behind this outward unanimity, intractable identity claims kept boiling which were occasionally suppressed with extreme state violence such as the crushing of the Muslim Brotherhood in Hama (Syria) in 1982, the assassination of members of the Sadr *sâda'* family in Najaf (Iraq) and the deportation of thousands of Shia in April 1980,[27] or the military suppression of Shiite demonstrations in the Eastern Saudi province of Hasa in the late 1980s.

[H3] Minority representation and the improbable nation

[25] People of the Holy Book, meaning mainly the Christians and Jews.
[26] For an example of the alternative see Bozarslan 2002: 137.
[27] Tripp 2002: 229-31.

After the end of the bipolar era and following the series of identity crises in the Balkans and the Caucasus, Middle East authoritarian states invoking national unanimity and imposing their rule lost their credibility domestically and internationally. A critical reappraisal of the legacy of empires in the region - the Ottoman and Safavid empires but also the European colonial empires in the 19th and 20th centuries - revealed the durable impact of their institutional engineering of societal pluralism. Social institutions such as the *millet,* political institutions such as minority representation were revisited, often to underline their efficiency in the peaceful regulation of state-society relation contrasting with the devastating effects of "unanimist" communist and socialist authoritarian regimes.[28] In addition to this powerful revisionism constitutionalists who reflected on political engineering in the Middle East were deeply influenced by North American communitarianism.[29] Post-conflict constitutional schemes increasingly favoured political sectarianism, i.e. the representation of ascribed identity groups in state institutions, and consensus government, i.e. the government of a ruling coalition of sectarian (and/or other primordial identity) leaders.

Although most of the Middle East states had broken off with pluralist representation at the time of independence or in the thrill of nationalist fever in the 1950s and 1960s, several of them kept elements of political confessionalism in their constitutional framework. For example there were traces of minority representation in the constitutional systems of states as distinct as the Islamic Republic of Iran,[30] Israel,[31] Palestine,[32] or Jordan where a quota of nine seats is reserved for Christians in the National assembly *(majlis al-umma).*[33] In these states, identity played a crucial role in the distribution and exercise of power. Moreover, the relation to the state of social groups, but also of individuals belonging to these groups, remained partly based on ascribed identities rather than acquired qualities and virtues or constructed interests. Ascribed identities were hold as the legitimate criteria to confer cultural, education and even territorial autonomy, and more generally to distribute functions, positions, and material and symbolic public goods. There was more: the majority itself, either demographic or political,

[28] A good example in Poulton 2000.
[29] In reference to their attention to minority rights in today's diversifying societies. See Etzione 1998.
[30] The constitution of the Islamic Republic reserves four seats (out of 73) for deputies representing the Assyrian/Chaldean, Armenian, Jewish, and Zoroastrian communities. Cf. Sanasarian 2000. The Constitution *also* discriminates against religious minorities. Cf. Fédération internationale des Ligues des droits de l'Homme, 2003.
[31] The Jewish state acknowledges three « nationalities » (Jewish, Arab and Druze) with their separate identity and communal institutions, whose proximity to the state differ for example in military drafting and access to state employment.
[32] The Palestinian electoral Law of 1995 reserved a quota of 6 seats for the Christians and 1 for the Samaritans; in the new electoral Law (2005) 6 out of the 66 seats allocated to the majority system are reserved for Christians.
[33] At odd with their demographic weight (3-4%) but also with their remarkable share in the private economic power (40%), according to Sabbagh 2004.

became contaminated in return by the practices of the leadership and tended also to establish its relation to the state through confessional criteria, playing on the centrality of its identity within the polity. Both government policies and societal responses concurred to reinforce sectarian discourses, behaviour and interactions. Finally, the society as a whole tended to formulate its political expectations and demands in terms of identity privileges, frustration or alienation.

Identity politics gained momentum as development and welfare policies waned. It was argued that, by producing an instant photography of a country's diversity, the confessional (or ethnic) variable offered a fair criterion to distribute political (as well as economic and military) power between segments of the population. Once the groups were counted, fair distribution of power could be organised. Strong communal organisation and especially the presence of a powerful communal leadership might ensure better participation in the state. Rather than competing or splitting apart, the sectarian groups of a given country would supposedly become safe about their respective status and share of the cake, and able to come to an understanding over power devolution. Minorities, once recognised and legalised, might be full actors on the public scene.[34]

Such a positive assessment was contrasted to the dramatic failure of the "majority" rule, a political system still plaguing several countries of the region at the turn of the millennium. Eager to see the Middle East "democratize," the US and its allies not only launched devastating military campaigns, they also ambitioned to put an end to the local despotic regimes and their "majority" rule and searched for constitutional systems altogether adapted to plural nations and respectful of liberal consensus. In the opinion of many international experts in state- and nation (re)-building, elite consensus became the key to fair political representation of minorities as it was credited to organise fair power sharing between confessional (or ethnic) segments of a country's population. "Lebanonisation," once a term which stigmatised the shattering agonistic societies in the Balkans, became a desirable model. In Lebanon, the executive and the legislature were meant to be equitably distributed along the supposed demographic weight of the 18 confessional indigenous groups, which were granted cultural, administrative and educational autonomy.[35] The political history of modern Lebanon was referred to as a constant search for inter-confessional balance at state level and the government of a large coalition altogether representative of the country's major communities and respectful of its minorities.

[34] Hanf
[35] For a succinct and clear presentation of the Lebanese constitutional formula see Kerr 1966.

Therefore, liberal (and supposedly democratic) consensus was chosen to rebuild the constitutional institutions of war-torn countries such as Iraq and Sudan. The Constitution of 2005 in Iraq[36] and the Sudan Peace Agreement in the same year[37] both entailed a mix of traditional individual federalism inspired by the Lebanese formula in line with its Ottoman heritage and innovative and far-reaching territorial federalism. While the ethnic (Arab versus Kurdish) variable was prevalent in the Iraqi case, confessional belongings tended to become the operative rationale behind regional mobilisations, party organisation and even ideological division in the Arab two-thirds on the country. In Sudan, the distinction between Muslim and non-Muslim regions was the criterion for separate administration and different sets of laws. In a complete reversal of analysis, the homogeneous and equalitarian nation-state promoted at the time of independences was now seen as an evil. An odd coalition of orientalist scholars and neo-conservative administrators re-discovered or re-invented the "true" and intractable social dynamics of the local societies: tribes susceptible to be co-opted in the pro-American *sahwa* in Sunni Iraq, African versus Arab "ethnies" (not to say races) segmenting the society in Darfur, and religious communities described as the inevitable and constant victims of discriminatory minority policies.[38]

Real life, however, proved far from fulfilling these normative expectations. While democracy - or democratisation - became the slogan of constitutional engineering and good governance in the Middle East in this early 21st century, one could but notice the gap between principles and practices. Here again, the example of the post-Yugoslavian Balkans was far from confirming that constitutional promotion of primordial belongings was the key to secure minority rights.[39] Not only individuals in a given religious group remained unequal in their relation to their communal leadership but sectarian groups were institutionalised as unequal in the eyes of the Law and their access to the state. In Middle Eastern countries where the economy is more than often characterised by the prevalence of rent over production profits, the exchange of loyalties and symbolic and material goods took place along identity channels – confessional belonging being one of the most salient. In other terms, identity politics established clientelism as the privileged mode of political exchange.[40] As a matter of consequence competition between sectarian groups for access to public goods fed the

[36] The constitution adopted in January 2005 refers, in its article 9, to the "components of the Iraqi people". The full text of the Iraqi constitution approved by referendum has been translated from the Arabic by the United Nations' office for constitutional support; See McGarry and O'Leary 2007.
[37] UN Security Council, *Press release* February 2, 2005.
[38] Davis 2008: 556.
[39] See International Crisis Group, March 9 March 2009.
[40] Roniger 2004.

persistent fragmentation of the nation and organised endless minority insecurity. Notwithstanding that social dynamics (demographic change and social and spatial mobility) concurred in belying the basis for the distribution of power and goods between sectarian groups, raising incessant frustration and contest as illustrated in post-civil war Lebanon where the "consensus" rule had been renewed and reinforced in the new Constitution of 1990 only to feed new sectarian strife.[41]

The problem with the "consensus" formula is that it locks up people in identity categories, instilling supposedly primordial differences in the political culture, submitting political negotiation to supposed immutable rules and paralysing governmental decision in the name of power-sharing. While no society, not even plural societies like the societies of the Middle East, is "naturally" sectarian, taking the risk to enhance sectarianism cannot protect against authoritarianism. On the contrary, authoritarian regimes are keen to take advantage of social segmentation and encourage political fragmentation in order to "counterbalance" between rival confessional segments.[42] Comparative analyses concur: proportional representation of segmental groups – either family, clannish or local - might produce the closest image of social composition at a precise time, or at least the clearest image. It nevertheless results in locking up a society within the boundaries of primordial identities and, finally, in freezing and deepening its inner boundaries, with the risk of drawing a nation toward civil conflict and secession. Consensus democracy might help the empowerment of some segmental groups, especially confessional minorities, in the short time as it succeeded in Lebanon in the 1950s and 1960s but it simultaneously hampers the promotion of collective interests such as the production and distribution of public goods; it paralyses trans-confessional dynamics and denies them legitimate political expression.[43]

Certainly, the respective flaws of the majority and consensus rules in securing fair minority representation and promoting democratic transition do not exonerate analysts and decision-makers for their long-lasting underestimation of minority issues in the Middle East.[44] After WW2, the imperative of top-down national development in countries then labelled "underdeveloped" was promoted by liberal and Marxist theoreticians concurrently. They were far less attentive to primordial identity differences than to inequalities of revenue and class. The minorities they had in mind were sociological minorities such as the children deprived

[41] Salamey and Payne 2008.
[42] As discussed in the Syrian case by Belkin and Schofer 2004.
[43] Picard 2010.
[44] For example Picard 1980.

from access to health care and education; women deprived from equal human rights; and economically deprived peripheries. And they sometimes deliberately ignored cultural differences in the name of collective improvement. But today, as the cover is being lifted from the identity cauldron and the minority question has become a legitimate and in some cases pressing issue, we should remain cautious not to be drawn into another hegemonic discourse and suspicious of the role of sectarian entrepreneurs in driving social dynamics and the negative effects of their instrumentation.

[H2] "Glocalization" and the minority question

The awakening of the "minority question" in the Middle East was largely the product of the new conjuncture of the post-bipolar 1990s: domestically, authoritarian states were forced to become "modest" and retreat from the economic field; in return they "re-deployed" and invested in the cultural and security fields; internationally, Western powers and NGOs' awareness of the issue of human and cultural rights grew in response of the growing tensions in the region and thanks to information channelled through diaspora networks.

[H3] New challenges for the state

The new visibility and topicality of the minority question can be linked with the re-deployment of the state in the Middle East, namely its retreat from the economic field and, in return, its strong involvement in the awakening and promotion of ascribed identities as well as in their securitisation.

Since the mid-1980s, a majority of governments in the region were compelled to adopt structural adjustment plans and partially de-regulate their national economies under direct and indirect pressure from international financial institutions. In accordance with the new liberalisation dogmas, they chose to get rid of their redistributive policies, totally or partially. Most of them cut public subventions and reduced their intervention in the domains of health, education, lodgings and subsidies to basic commodities. In order to trim the national budget they also suppressed a number of public jobs traditionally destined to mask a high level of unemployment. These rough policies affected differently the local societies according to their heterogeneity. At the core of each patrimonial state, the opening of the market *(infitah)* to new bourgeoisies was organised and controlled by the same political military elite and along the same primordial networks of identity (confessional and/or ethnic). Collaboration between

political leaders and economic entrepreneurs took the form of clientelist exchange (dyadic and reciprocal) based on sectarian and matrimonial proximity. By contrast, distant peripheries, powerless social actors such as women and youth, and marginal cultural groups such as minority religious communities were affected as access to public goods became restricted through inter-personal filters. While facilitating an enlargement of the bourgeoisie, this new Middle East crony capitalism enhanced intra-sectarian solidarity and inter-sectarian competition by organising either rapprochement or marginalisation of given confessional groups.[45]

As the domestic and foreign private sectors took the lead in the economic field, the domination of the state over its society through the redistribution of rents wore away along with the discrediting of its legitimizing ideology.[46] Thereafter the necessity for the state to re-deploy and invest in domains previously neglected. Monarchies as well as republics endeavoured to raise patriotic feelings among their population and substitute a new form of attachment to the regime for the trust in the welfare state. Their investment in identity politics took a strong discursive dimension: publication of history and civic education school books, glorification of *turath* and its display in newly built museums, and the intensive use of i.t. communication tools were used to re-invent and re-format collective identities based on affects and private memories.[47] Moreover, the new patriotism promoted by the regimes stressed a new distinction, not between the domestic and the external realms but within the country, between the national community and its *domestic* enemies, between loyal citizens and Others whose belongings remained dubious because they were not part of the confessional (or ethnic) ruling we-group, and therefore suspect of foreign collusion. The most important political issue was now in the name of which identity group the state acted, who was regarded as its legitimate owner, and who was entitled to its services.[48] Therefore, politics became increasingly formulated and exerted on a non-negotiable mode as if it implied subscribing to a rigid (ideological or religious) belief. Accordingly, politicisation of sectarianism became a central aspect of state-building through which the « people » and the regime were mutually related within the ideal of a legitimate order. While the nation-state was

[45] As discussed in the case of the Lebanese Sunni bourgeoisie in Johnson 1986. For Syria see Bahout 1994; Kienle 1992.
[46] Henry and Springborg 2001.
[47] Examples of each of these strategies in Gershoni and Jankowski 1997; and Davis 2005.
[48] I am referring to Harold Laswell's famous definition: "Politics is about who gets what, when and how"; Wimmer 1997. Although Wimmer refers to *ethnic* groups his commentary applies to other identity groups, confessional among others.

undermined both in ideal and implementation, ruling coalitions and their opponents were transformed into "tribes with flags."[49]

"Re-islamisation" of state and society played a central part in this political re-configuration. During the modernisation decades, most rulers in the Middle East had distanced from Islam. In the globalisation era on the contrary they made extensive use of Islam in order to rally popular majorities. They insisted on giving proofs of their own religious identity through participation in public prayer or in the hajj to Mecca. They encouraged or at least tolerated public display of religious belonging such as the veil for women. They financed Muslim social and educational institutions and NGOs, whose quietist or *Sufi* orientation was supposed to counter jihadist influence while compensating for the withdrawal of state institutions. While this strategy of re-islamisation strengthened their legitimacy in the short run, it also bore middle and long term divisive effects: the public display and legitimisation of confessional belongings and the rehabilitation of religious actors induced sectarian segregation in the urban space, dissonances in dress codes and ethos, separate education, segregated socialities, and generally the organisation of separate cultural and political lives – a trend that was reminiscent of the closed society of the late Ottoman Empire with its negative effect on civil society and entrepreneurial spirit.

Finally, identity politics initiated by Middle East authoritarian states in compensation for economic liberalisation bore a security dimension. While systematic statistical and police control substituted for development in power practices in a Foucaldian manner,[50] the spreading of trans-boundary networks and global interdependence meant that enemies of the state had to be fought within, precisely among minority groups supposedly alien to the identity and project of the political majority.[51] In the past, communal groups opposed to the government were suspect of collusion with European powers, now they were accused to be "agents" of Israel and the United States. Instead of being part of the legitimate political game, protestation by minorities became stigmatised as a manipulation by the West and Israel, and repressed through land confiscation, restriction of public expression and heavy security rules.

[H3] Minorities, the "question of the century"

The rise of identity politics on the domestic scene mirrored the change taking place on the international scene.

[49] Glass 1991.
[50] Foucault 1983.
[51] Kumaraswamy 2003.

Until recently, international Law legislated exclusively about *native* minorities in colonisation states (e.g. the Inuit people). As for the international covenant on civil and political rights adopted by the UN General Assembly in 1966, it protected the cultural and religious rights of *individual* members of minority groups, respecting the sovereignty of the state and reflecting its reluctance to take into account sub-national collective aspirations – especially of political order.[52] Then, in the 1990s, the fall of the Soviet Empire drew the minority issue "out of the fridge". A new legitimate problematic prevailed. International Law specialists began elaborating a more extensive and politically consequent legal definition of the minority. "National minority" was henceforth considered a cultural entity, concentrated on a territory, with a past experience of political independence before it was incorporated to a larger state entity.[53]

In this era of globalisation, the minority issue is established as a central preoccupation of humanitarian Law and advocacy NGOs. Simultaneously, academic studies, media denunciation and pro-active policies overstep international boundaries. International advocacy and relief NGOs take the lead in the promotion of the collective rights and protection of the groups they judge persecuted due to their confessional (or ethnic) belongings. They keep demanding from several Middle Eastern states a revision of their legal status and adoption of "universal" criteria for national integration. For every state of the Middle East respect of minority rights has become – together with women's rights – the barometer of its successful transition to democracy. Paradoxically, this criterion is also brandished *a contrario* to denounce the "authoritarian exception" of the Arab and Muslim worlds notwithstanding the diversity of cultures in the region and the complex history of each state formation in the colonial and post-colonial eras.[54] But experience shows that whenever the minority issue is promoted on the political scene and the powerlessness of a minority underlined, it is done in a normative way and for a normative purpose. Formally latent social formations and affiliations are activated in order to re-organise hierarchies of power according to a pre-determined scheme seemingly convenient for those who manipulate them.[55]

A critical examination of their ethical stand reveals that while NGO militants have a direct and non-ideological knowledge of local situations and generally display proper commitment to human rights, their administration, leadership, financial and logistical

[52] Marquardt 1991; Henrard 2000.
[53] Kimlicka 2001, chapter 1, "The new debate over minority rights," pp. 17-38.
[54] Schmitter 1999. For a deconstruction of the prejudice, see Lakoff 2004.
[55] See for example the scholarly literature published in the 2000s in support for US administration policy in the Middle East, arguing that local societies remained organised in sects and tribes.

resources are rooted physically and ideally in Europe and North America. Like the European powers who established themselves "protectors" of the Christian communities in the Ottoman Empire in the 19th century under the pressure of missionaries and colonial entrepreneurs, the major powers of the 21st century allow themselves to ascribe the quality of "minority" to groups who never self-designated as such before. They design and implement authoritative policies to deal with their cases. As a matter of consequence, together with international humanitarian institutions such as the International Criminal Court, NGOs tend to reflect a view of the world, with its values, hierarchies and rules, which is far from "neutral", to use the Weberian theory. And like any actor in the international arena they are inevitably influenced by (material and symbolic) power pressures.

In this period of globalisation and inter-dependency, protection of minorities has become a "formidable tool for a power to intervene in another state's domestic affairs".[56] It may be used by a coalition of NGOs and states as was the case for the Darfur in the 2000s; it may even be invoked by a great power intervening militarily in a neighbour state like Russia "defending the rights" of the Ossetians in Georgia in 2008. Unfortunately, the philosophical notion and the legal definition of the minority remain exploited by strategic stakes and powers' interests. While it rightly emerged from an oppressing silence, the minority issue remains controversial and blurred.

[H2] Competition, integration, or adaptation?

Actors of the Middle Eastern public arena, be they states, organised communities or even national NGOs, prove sensitive to the current international debate on the minority issue – even in countries the most protected from external influence such as the Islamic Republic. They also react and adapt to domestic societal dynamics in such way that the politicisation of primordial identities can be described as an interactive process: first, it is a two-level process taking place simultaneously at state and official institutional level and at societal level of routine encounters and dynamics; then the politicisation process implies that state and society act, react and carry out successive adjustments of frame and practices. The *mimesis* between the ruling group (the "state") and the opposition has been underlined in the case of ethnic minorities such as the Kurds in Turkey and Arab lands, who borrowed nationalism and other

[56] Corm 2006: 64.

ideological and institutional tools for nation-building from their rulers and adapted them in order to dominate their own society.[57] But *mimesis* was rarely observed in the case of sectarian groups because few of them raised their identity claims to the point of demanding large autonomy like some segments of the Assyrian community in Syria or even calling for secession like some political parties in southern Sudan or in Lebanon during the civil war.

Most confessional communities while not adopting such extreme position are prone to shape their collective identity according to the "national" model[58] i.e. through discrete cultural, moral and sociological - not to mention psychological or physical – traits. They also borrow the social engineering and political practices experienced by the state in order to build their own national community, organise its institutions and mobilise its members. They use the same strategies and the same resources – inventing genealogies and hierarchies, distributing goods and security, repressing dissidents.[59] Paradoxically, in their competition for the construction of rival we-groups the ruling power and the minority concur in strengthening mutually excluding identity boundaries in order to take over limited material and symbolic resources. Together they turn dormant and fluctuating collective identities into tangible sectarian groups. Diasporas have become a driving force behind this interactive process as they exacerbate identity fundamentalisms at the two ends of the migratory network.[60] As a matter of consequence, the minority issue succeeds in opening a new debate and entailing new political negotiations within several Middle Eastern states. It challenges the relation between the ruling power and the population and calls for a reappraisal of the notion of citizenship.

[H3] Local identities, nationalism, and the diaspora

An imported ideology, nationalism was willingly adopted by the ruling elite of the Middle East since the 19th century. It gave meaning to their disrupted political life, allowed them to rely to their past and project into their future.[61] Nationalism also spread among members of the confessional (and ethnic) elite who did not wish to return to the *millet* system for all its limits and flaws and could not anyway return to it after the imperial order was swept by the creation of nations-states. Now, the model for collective demands and the promotion of an identity group implied territorial sovereignty, homogeneous cultural identity and political

[57] See the publications of Hamit Bozarslan on the Kurdish question in French.
[58] In this respect, the translation of *millet* by "nation" induced much confusion since the 19th century.
[59] Picard 1994.
[60] See the chapter by Grégoire Delhaye.
[61] Michel Foucault calls this temporary shared meaning "regime of subjectivity." Foucault 1976: 1001-26.

autonomy.[62] Between conflicting ambitions, there was hardly a middle term: wherever the governing state was denying minority rights, the confessional minority denied belonging to the nation-state thus raising the level of contest and tension between dominant and minority ideologies.

A noticeable change of the globalisation era is that minorities, once deprived from access to the public space, oppressed, and sometimes physically threatened in their homeland, turn in numbers from "exit" to "voice" at the instigation of their exiled members.[63] In their new migratory space, these migrant members generally enjoy freedom of faith and expression. Consequently, they are prone to re-politicisation and to turn into "cultural mediators" especially when they benefit from dual citizenship. Of course, diaspora involvement in democratisation processes in the original homeland should not be over-estimated as diasporas are generally made of people who migrated to flee from dictatorship and secure their family life, not to become militants.[64] Still, diaspora mediators with the support of international and transnational actors contribute to raise the level of conflict between state and minorities through their radical nationalist discourse and material support to local militants. Geographical distance (as most Middle Eastern migrants settled in North America, Europe or Australia) and the passing of time (as some diasporas are several decades and sometimes century old) induce them to mythologizing history and re-inventing an idealised common identity altogether rooted in romanticised past and projected in dazzling future.[65] Because they ignore the daily accommodation experienced by their fellow minority members who stayed in the country, migrants tend to be more radical to the point of endangering the local community.

A striking illustration is offered by the case of the Assyrians. At the turn of the 21st century, the members of the Nestorian (autonomous) and Chaldean (Catholic) Assyrian communities who left southern Turkey, northern Iraq and eastern Syria during the 20th century outnumbered four times their local confessional fellows whose number kept dwindling in reaction to Kurdish nationalist mobilisations, Arab states repressive policies, and finally the wars in Iraq. At the end of the migratory network, Assyrians *exilés* in North America became as mobilised as their Middle Eastern fellows were silent. Anticipating a turn in the regional balance of power after the US invasion of Iraq, they began substituting for the failing local regimes and financing the construction of schools, health centres and language teaching

[62] This hypothesis is developed in his conclusion by Masters 2001.
[63] Appadurai 2006 : 49-87.
[64] Daum 2005: 1.
[65] Koselleck 2004: 20-5.

institutions, and also of over-sized churches in order to raise the visibility of the community, especially in the remote underdeveloped Syrian Jazirah. Their numerous and vibrant websites and news agencies harboured confusion between confessional and national belonging. On the one hand they negotiated with the local states for the sake of the community; on the other hand they interpreted any public policy decision as a possible means to victimize it, any political vote or deliberation as a survival stake. And finally they formulated projects of autonomy and even independence completely at odd with the reality on the ground.[66] In this matter, they offered a complex example of the mixture of powerlessness and empowerment, of escalation and compromise, of attachment and alienation which characterise today's minorities in the Middle East.

Truly, "outdoing [the ruling power] has become the self-defence tactic of the minority."[67] Such a trend can be observed all over the Middle East in the decade 2000 and was emphasized locally by a generation of intellectuals and cadres better educated and endowed with better resources than their elders of the previous decades. While the defence and promotion of justice and civil rights generally benefits from their enhanced capabilities, the durable frustration of minority groups offers a fertile ground for the birth and growth of intolerance and mutual exclusion. In reaction, state nationalism stiffens, rooted as it is also in cultural references and loaded with collective emotions but armed with superior asymmetric power. And like everywhere else in the world, political and sectarian entrepreneurs ride over popular feelings to enhance their own power and wealth. The political arena has become the battlefield for competing segmented interests instead of the search for common good. Each fundamentalism feeds a rival fundamentalism as observed in the growing importance of religious parties in Israel and Palestine. The "communitarian disease", a mixture of collective representations and strategic calculation of greedy leaders, which had destroyed Lebanon in 1975-1990, plagues the Middle East.[68]

[H3] Renewing the political exchange

Neither in its first integrative version nor in its second pluralistic clientelist version does the authoritarian state in the Middle East resolve the minority issue. The ruling regimes appear unable to overcome increasing minority mobilisations in spite of their ever more

[66] On the Columbia University Network on minorities, the Assyrians of the Middle East are represented by six websites – more than the Armenians but second to the Jews (42) and the Kurds (47). Some of them like the Assyrian International News Agency offer a constant denunciation of Syrian oppression of Assyrians.
[67] Debray 2008: 220.
[68] Rodinson 1989; Todorov 1995: 96.

powerful and sophisticated communication and security tools. At the end of the first decade of the millenium, the state is paralysed in Lebanon; it is threatened with implosion in Iraq; shaken by sporadic insurrections in Syria and in several countries of the Peninsula and the Maghreb. Nearly two decades after the "great transformation" of 1989, the point at issue remains for these states to accommodate individual human rights and cultural demands of confessional (and ethnic) minorities *and* to do so in securing the continuity of public services, respecting the rule of Law and guaranteeing the fair managing of collective goods in a secure territorial space. After the failure of the development and unanimity model then of the liberal divisive model what is now at stake is the renewal of the terms of the political exchange between state and society according to a new institutional framework.[69] **For local societies at large, this implies a revolutionary turn in constitutional and juridical terms as attempted in 2001 by Tunisia and Egypt: the return of the rule of Law and instauration of participative democracy. And for confessional (and ethnic) groups, it implies specific changes.**

Middle Eastern states will remain stuck in intractable identity conflicts as long as they do not envisage a limited reconfiguration of power by adding to the three constitutionally legitimate dimensions of citizenship (civic, political and human) the promotion of individual and collective *cultural* rights in their society and polity and more specifically in their constitutional Law. Because identity politics has become a dominant preoccupation all over the world in this early 21st century, such a change of configuration is needed in many states, democratic and authoritarian. However, in the Middle East, where national identity was more than often built on the false premises of cultural homogeneity, the political centre can hardly acknowledge pluralism without de-legitimizing itself. This is often where the democratization process meets its limits and where the notion of *political exchange* becomes operational: the state could exchange some measures of cultural autonomy for the compliance of the minority with its collective regulation. It should make up the economic deficit of its cultural peripheries – namely its religious peripheries-, meet some of their symbolic demands in matter of public display of identities and collective commemorations, and eventually satisfy their claims for more autonomy of cultural and educational institutions. At this point, the state would not have to acknowledge a *nationalist* character to the demands of the sectarian

[69] Political exchange implies the building of a compromise in order to regulate interactions between public policy networks. See North 1990; and more specifically for plural countries Painter 2000.

groups.[70] Co-existence between the (state) national culture and religious sub-cultures would subsequently be organised following the principle of "hegemonial exchange" i.e. mutual accommodation between the autonomous (better than "powerful") central state and less autonomous (rather than "powerless") segmented interests "on the basis of commonly accepted procedural norms, rules, or understandings". [71] A positive point in this direction is that Arab political sociology establishes a distinction between *jinsiyya* (nationality) and *muwâtana* (citizenship).This suggests its affinities with the liberal model of distinction between cultural and political identities. It opens the way to a possible coexistence of a public space blind to cultural differences with differentiated communal spaces[72] although a delicate point concerns the difficulty of "neutralising" Islam in the constitutional framing of the Middle East states in view of its historical and ethical weight.

More generally, a positive political exchange between state centre and religious peripheries cannot take place as long as local polities are plagued by a deficit in the respect of civic, political and human rights - a deficit affecting every citizen, irrespective of his confessional or cultural (or ethnic) identity. Here again, the minority issue in the Middle East proves closely related to the issue of democratization and the respect of the rule of Law: on the one hand, collective minority demands might be alleviated by the promotion of individual rights; on the other hand, respected individuals would become respectful citizens; they might promote the virtues and loyalties required by democratic citizenship, among which the acceptance of identity differences. Nation-building and minority rights might improve dialectically.

[H2] Conclusion

It is all the more difficult to conclude such a chapter because this early 21st century is probably witnessing the peak of identity politics all over the world. Like development theory, identity politics might display its flaws, encounter its limits, and be dismissed in the coming period. This makes today's reflection upon religious minorities in the Middle East all the more fragile. It is also why scholars should be wise to keep in mind two basic knowledges in social sciences: first, that identity discourses and processes always need to be read in a

[70] This is probably the watershed separating confessional demands from ethnic demands as ethnic identities/movements are prone to transform into identities/national movements.
[71] Rothschild 1985: 98-101.
[72] A source of inspiration might be the Habermassian model of "constitutional patriotism" combining a civic ideology with the public respect of differences; Habermas 2001.

historical and constructivist perspective;[73] second, that issues such as the minority issue risk to remain assessed through normative lens as long as they are not studied in a comparative perspective.

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